CONSTITUTIONAL THEORY, 2008-09

Here is some basic background on the structure of this seminar.

The first semester of the seminar will provide background readings and case studies intended to survey the major issues in this field. The readings can be found in four places. Some cases are available in any decent constitutional law casebook. Most of the cases and articles are can be downloaded from the seminar’s TWEN site; any that are not available from the site will be on course reserve in the library. The readings referred to by the author’s name and a page number are from Garvey & Aleinikoff, Modern Constitutional Theory: A Reader [5th ed.]. Everyone should have access to the Garvey book and should register with the TWEN site for Constitutional Theory.

During the second semester, each participant will work on a research paper with individual assistance from me; we will meet as a group only at the end of the semester in order to discuss the papers.

During the first semester, in addition to the reading assignments, each person will be required to prepare a very short (one-two page, double-spaced) essay approximately every two or three weeks. The purpose of these essays is to provide experience in expository writing and to structure discussion during the seminar sessions. Copies of each essay must be made available to all members of the seminar at the beginning of the session. Papers will be read aloud, and all students in the seminar will be responsible for responding to the papers after they are read.

On the last seminar day of the fall session, each student is responsible for turning in to me a one paragraph description of the general area in which you would like to do research for your spring semester papers. It is not necessary to state a specific thesis or to provide any detail. This does mean that everyone should be giving some general consideration to a possible paper topic as we proceed through the fall semester readings.

Grades will be based primarily on the quality of the final paper and secondarily on the level of preparation and contribution during seminar discussions. All students should make every effort to attend every seminar, and any absences should be discussed with me.

R. N.